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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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23910 7590 02/20/2008 FLIESLER MEYER LLP 650 CALIFORNIA STREET 14TH FLOOR SAN FRANCISCO, CA 94108			EXAMINER ORTIZ RODRIGUEZ, CARLOS R	
			ART UNIT 2123	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/659,932

Applicant(s)

KENNEDY ET AL.

Examiner

CARLOS ORTIZ RODRIGUEZ

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-15,17-31,33-57,59-85,87-171 and 173-196 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-15, 17-31, 33-57, 59-85, 87-171, 173-196 is/are rejected.
- 7) ☒ Claim(s) 182 and 183 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 12/19/07 and 1/16/08.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 11/07/07 have been fully considered but are moot in view of the new ground(s) of rejection. It should be noted that the Declarations under 37 CFR 1.132 filed on 11/07/07 are considered and are sufficient to overcome the Prior Art Document which was referred to as "Final Report" and relied on in the previous Office Action.
2. After reviewing said Declarations and noticing that at least one of the inventors listed in the instant application worked on a separate aspect of the invention, Applicants are reminded that if the claims to the invention of one or more inventors are canceled or if the application is amended to change the claims so that one (or more) of the named inventors is no longer an inventor of the subject matter of a claim remaining in the application, the Applicants are responsible for correcting, and are required to correct, the inventorship in compliance with 37 CFR 1.48.
3. It should also be noted the examiner has determined that in order to provide a complete examination of this application it is reasonably necessary to required, that the Applicant of this application provide the following information. It is necessary, that the Applicant of this application provide copies of the:
 - a. Energy Analysis Module (EAM) Working Specification

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- b. EAM Software Developers Kit (SDK), and
- c. The Green Building XML (gbXML) Schema and Documentation.

For each publication, please provide the publication dates.

The document which was referred to as "Final Report" relied on in the previous Office Action authored by the applicant, suggests the applicant likely has access to information necessary to a more complete examination of this application. In this situation, the record suggests that the details of such information may be relevant to the issue of patentability, and thus shows the need for Applicant to submit the documents listed above.

The information disclosed in pages 8-16 and Appendix I-III of the document which was referred to as "Final Report" relied on in the previous Office Action justifies asking the applicant if he or she has information that would be relevant to the patentability determination. Said pages and sections refer to documents dated back to 1999, 2000, 2001 and 2002 and indicate that certain documents were used to communicate the EAM software's design intent and functional specifications to both internal development team members as well as external developers of potentially interoperable third-party applications.

Please, only provide copies of those pages that provide the particular subject matter found in applicant's disclosure.

Claim Objections

4. Claim 182 and 183 objected to because of the following informalities: These claims appear to be duplicate claims, please verify claim dependency. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 3-6, 9-15, 17-23, 28-31, 33-34, 37-51, 56-57, 59-62, 65-79, 84-85, 87-93, 96-102, 126-131, 133-146, 149-163, 168-171, 173-174, 177-191 and 196 are rejected under 35 U.S.C. 102 (b) as being anticipated by Subbarao U.S. Patent No. 6,134,511 (hereinafter Subbarao).

- a. **Regarding claims 1, 4-5, 20, 29-30, 33, 44, 48, 57, 60-61, 72, 76, 85, 87, 91-92, 126-131, 133-142, 144-145, 156, 160, 169-170, 173, 184 and 188,**
Subbarao discloses analyzing the energy requirements of a building using a computer network (C11 L13-27 and C13-14, DOE-2 program), comprising: under control of a first process: providing a first three dimensional (3D) representation of the building, wherein the first representation of the building includes a complete and detailed geometry of: the building, spaces in the building, building

surfaces and building openings (C3 L59-61, C6 L17-20, C6 L40-42);

providing the first representation to a second process on the computer network;

under control of the second process: automatically performing an energy analysis of the building based on the first representation by determining energy use and cost of the building using information that includes one or more of the building's geographical location, three-dimensional geometry, construction materials, utility rate schedule and HVAC equipment (C6 L25-42, C7 L34-67 and Fig 1);

providing results of the energy analysis wherein the results are available on the computer network; and utilizing the results of the energy analysis in order to optimize the first representation of the building wherein optimizing includes performing one or more simulations while varying parameters of the first representation of the building and automatically ranking results of the simulations according to a predetermined criteria (C11 L23-27);

wherein the first process and the second process communicate using the computer network (C11 L1-27); and automatically providing default values for the first representation appropriate for performing an energy analysis of the building, wherein the default values include at least one of: 1) heating, ventilation and/or air conditioning equipment; 2) weather-related information; 3) interior/exterior constructions; 4) interior/exterior lighting equipment; 5) schedules of operations for interior/exterior lights; 6) interior/exterior equipment; 7) schedules of operations for interior/exterior equipment; 8) air flow information; 9) schedules of operations for heating, ventilation and/or air conditioning equipment; 10) number

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of people; 11) schedules of occupancy for people; and 12) any additional information necessary to conduct a building energy analysis (C1 L50-67, C4 L1-13, C12 L45-63); wherein: the default values are based on 1) building type; and 2) geographic location of the building (C13 L40-50).

b. **Regarding claims 3, 31, 59, 90, 143 and 171**, Subbarao discloses wherein: the first representation is provided by a 3D-CAD or BIMA application (C1 L14-32 and C6 L17-21).

c. **Regarding claims 6, 34, 62, 93, 146 and 174** incorporating the default values into the first representation of the building is an inherent property of DOE-2 (C13 and C14).

d. **Regarding claims 9, 37, 65, 96, 149 and 177** Subbarao discloses wherein: the first representation of the building includes at least one of: 1) a building type; 2) a space; 3) a three dimensional representation of the building; 4) a location of the building; 5) at least one surface; and 6) an opening (C14 L13-16).

e. **Regarding claims 10, 38, 66, 97, 150 and 178** Subbarao discloses wherein: the at least one space includes at least one of: 1) space type; and 2) at least one surface (C6 L40-43).

f. **Regarding claims 11, 39, 67, 98, 151 and 179** Subbarao discloses wherein: the results of the energy analysis include at least one of: 1) energy cost over a period of time; 2) peak demand over a period of time; 3) fuel use over a period of time; 4) electricity use over a period of time; 5) airflow requirements over a period of time; 6) comfort level over a period of time; 7) temperatures over a period of time; 8) cooling equipment sizes; 9) whether or not a building complies with applicable energy codes; 10) what needs to be done in order to bring a building into conformance with applicable energy codes; 11) heating equipment sizes; and 12) any information in the first representation and/or any default values provided for the first representation (C18 L5-60).

g. **Regarding claims 12, 40, 68, 99, 152 and 180** Subbarao discloses wherein: the results of the energy analysis apply to at least one of: 1) the building; 2) one or more spaces within the building; and 3) any information in the first representation and/or any default values provided for the first representation (C13 L22-25).

h. **Regarding claims 13, 41, 69, 100, 153 and 181** wherein the results of the energy analysis are persisted is an inherent characteristic of DOE-2.

i. **Regarding claims 14-15, 42,-43, 70-71, 101-102, 154-155 and 182-183**

incorporating the results of the energy analysis into a second representation of the building, wherein the second representation of the building is based on the first representation is an inherent property of DOE-2 (C13 and C14).

j. **Regarding claims 17, 45, 73, 157 and 185** Subbarao discloses wherein:

optimization includes optimizing at least one of the following parameters: 1)

building orientation; 2) glazing; 3) construction materials; 4) heating air

conditioning and/or ventilation systems; 5) lighting and light control schemes; and

6) any information in the first representation (C11 L23-27).

k. **Regarding claims 18, 46, 74, 88, 158 and 186** wherein: each of the

parameters is held constant or restricted to a range of possible values is an

inherent characteristic of DOE-2.

l. **Regarding claims 19, 47, 75, 159 and 187** Subbarao discloses wherein:

the energy analysis is performed in whole or in part by a computer software

program, at least one of the following programs: 1) DOE 2; and 2) EnergyPlus

(C13 and C14).

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- m. **Regarding claims 21, 49, 77, 89, 161 and 189** wherein the first representation of the building is a 3D mono-planarization representation is an inherent property of DOE-2.
- n. **Regarding claims 22-23, 50, 78-79, 162-163, 190 and 191** providing content to a user based on information in at least one of: 1) the first representation; and 2) the results is an inherent property of DOE-2.
- o. **Regarding claims 28, 56, 84, 168 and 196** wherein: a first user can allow other users to access and/or manipulate at least one of: 1) the first representation; 2) the energy analysis results; and 3) default values appropriate for performing an energy analysis of the building is an inherent property of DOE-2.

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7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 116-120 and 123-125 are rejected under 35 U.S.C. 102 (e) as being anticipated by Shanahan et al. U.S. Publication No. 2005/0022114 (hereinafter Shanahan).

a. **Regarding claim 116**, Shanahan discloses generating a qualified result list based on a building representation and using a computer network, comprising: maintaining a database of at least one information provider, wherein each of the at least one information providers has associated with it a set of building criteria and content (Paragraph 0236-237); identifying a result set of the at least one information providers that have criteria at least partially satisfied by the building representation and an energy analysis of the building representation (Paragraph 0272); ranking the information providers in a result set into a result list; and providing content via the computer network corresponding to at least the highest ranked information provider in the result list (Paragraph 0312).

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b. **Regarding claim 117**, Shanahan discloses wherein: the ranking is based on at least one of the following: 1) the number of criteria satisfied for a given information provider; 2) an amount of credit an information provider will provide in exchange for placement in the result list; and 3) content category (Paragraph 0312).

c. **Regarding claim 118**, Shanahan discloses wherein: the content category corresponds to a product type (Paragraph 0312).

d. **Regarding claim 119**, Shanahan discloses wherein: content includes at least one of: 1) a uniform resource locator (URL); a hypertext markup language (HTML) document; 3) an extensible markup language (XML) document; 4) an audio/visual presentation; 5) text; and 6) an image (Paragraph 61).

e. **Regarding claim 120**, Shanahan discloses wherein: the content associated with an information provider includes promotional content (Paragraph 0219).

f. **Regarding claim 123**, Shanahan discloses determining a relevancy score for each of the information providers at least one of: 1) the result set; and 2) the result list (Paragraph 0312).

- g. **Regarding claim 124**, Shanahan discloses wherein the step of providing via the computer network the at least highest ranked information provider includes: presenting the at least highest ranked information provider(s) to a user in order of rank (Paragraph 0312).
- h. **Regarding claim 125**, Shanahan discloses wherein the step of providing via the computer network the at least highest ranked information provider includes: presenting the at least highest ranked information provider(s) according to information category (Paragraph 0312).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- a. Claims 7-8, 24-27, 35-36, 52-55, 63-64, 80-83, 94-95, 132, 147-148, 164-167, 175-176 and 192-195 are rejected under 35 U.S.C. 103(a) as being unpatentable over Subbarao U.S. Patent No. 6,134,511 (hereinafter Subbarao) in view of Ananian et al. U.S. Patent No. 6,922,701 (hereinafter Ananian).

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b. **Regarding claims 7, 35, 63, 94, 132, 147 and 175**, Subbarao discloses all the limitations of the base claims.

But Subbarao fails to clearly specify information in one of the following forms: 1) Extensible Markup Language (XML); 2) Green Building XML (gbXML); and 3) International Alliance for Interoperability Industry Foundation Classes.

However, Ananian discloses information in one of the following forms: 1) Extensible Markup Language (XML); 2) Green Building XML (gbXML); and 3) International Alliance for Interoperability Industry Foundation Classes (C16 L22-33).

Subbarao and Ananian are analogous art because they are from the same field of endeavor. They both relate to building information systems.

Therefore at time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the above invention disclosed by Subbarao and combining it with the invention disclosed by Ananian.

One of ordinary skill in the art would have been motivated to do this modification in order to accept and return data through the graphical interface of a web page as suggested by Ananian (C16 L25-30).

c. **Regarding claims 8, 36, 64, 95, 148 and 176**, the combination of Subbarao and Ananian discloses all the limitations of the base claims as outlined above. Furthermore, it should be noted that wherein: the first representation of the building is at least one of: 1) compressed; 2) encoded; and 3) encrypted is an

inherent property to DOE-2 (a DOE-2 model is a compressed version of the building representation).

d. **Regarding claims 24, 52, 80, 164 and 192**, the combination of Subbarao and Ananian discloses all the limitations of the base claims as outlined above. Ananian further discloses wherein: the content includes advertisements (C1 L15-33).

e. **Regarding claims 25, 53, 81, 165 and 193**, the combination of Subbarao and Ananian discloses all the limitations of the base claims as outlined above. Ananian further discloses wherein: an advertisement selected by a user; and wherein the selection causes at least one of the following to be made accessible to a third party: 1) user contact information; 2) information based on the first representation; 3) information based on the energy analysis results; and 4) information based on default values appropriate for performing an energy analysis of the building (C14 L45-55).

f. **Regarding claims 26, 54, 82, 166 and 194**, the combination of Subbarao and Ananian discloses all the limitations of the base claims as outlined above. Ananian further discloses wherein: an advertisement is selected by a user; and wherein the selection causes the user to be prompted for permission to make accessible at least one of the following to a third party: 1) user contact

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information; 2) information based on the first representation; 3) information based on the energy analysis results; and 4) information based on default values appropriate for performing an energy analysis of the building (C14 L45-55).

g. **Regarding claims 27, 55, 83, 167 and 195**, the combination of Subbarao and Ananian discloses all the limitations of the base claims as outlined above. Ananian further discloses requesting a bid from a third party based on at least one of: 1) the first representation; 2) the energy analysis results; and 3) default values appropriate for performing an energy analysis of the building (C22 L53-67 and C23 L1-18).

10. Claims 103-115 are rejected under 35 U.S.C. 103(a) as being unpatentable over Subbarao U.S. Patent No. 6,134,511 (hereinafter Subbarao) in view of Ananian et al. U.S. Patent No. 6,922,701 (hereinafter Ananian).

a. **Regarding claim 103**, Subbarao discloses allowing a user to interact with content including product and service advertisements or product placement on building instance for analysis, using a computer network, comprising: automatically providing the content to the user based on a set of criteria associated with the building characteristics including its energy use information and wherein at least one of the criteria is satisfied based on a representation of a

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building and results of an energy analysis of the representation of the building;
allowing the user to interact with the content (C13 L40-50 and C6 L11-34);

But Subbarao fails to clearly specify wherein the interaction results in at least one of: 1) a request for information; 2) a request for a bid; 3) permission to access information associated with the user; 4) providing permission to access information associated with the representation of the building and/or results of the energy analysis.

However, Ananian discloses wherein the interaction results in at least one of: 1) a request for information; 2) a request for a bid; 3) permission to access information associated with the user; 4) providing permission to access information associated with the representation of the building and/or results of the energy analysis (C14 L45-55).

Subbarao and Ananian are analogous art because they are from the same field of endeavor. They both relate to building information systems.

Therefore at time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the above invention disclosed by Subbarao and combining it with the invention disclosed by Ananian.

One of ordinary skill in the art would have been motivated to do this modification in order to accept and return data through the graphical interface of a web page as suggested by Ananian (C16 L25-30).

b. **Regarding claims 104**, the combination of Subbarao and Ananian discloses all the limitations of the base claims as outlined above. Ananian further discloses wherein: permission to access information is given for an aggregate view of the information or for the entirety of the information (C14 L45-55).

c. **Regarding claims 105**, the combination of Subbarao and Ananian discloses all the limitations of the base claims as outlined above. Ananian further discloses wherein: the content is provided to the user via the World Wide Web (C16 L22-33).

d. **Regarding claims 106**, the combination of Subbarao and Ananian discloses all the limitations of the base claims as outlined above. Subbarao further discloses performing an energy analysis of the building representation (C13 and C14).

e. **Regarding claims 107**, the combination of Subbarao and Ananian discloses all the limitations of the base claims as outlined above. Subbarao further discloses incorporating default values into the first representation of the building is an inherent property of DOE-2 (C13 and C14).

f. **Regarding claims 108**, the combination of Subbarao and Ananian discloses all the limitations of the base claims as outlined above. Ananian further

discloses information in the following forms: 1) Extensible Markup Language (XML); 2) Green Building XML (gbXML); and 3) International Alliance for Interoperability Industry Foundation Classes (C16 L22-33).

g. **Regarding claims 109**, the combination of Subbarao and Ananian discloses all the limitations of the base claims as outlined above. Subbarao further discloses wherein: the representation of the building is at least one of: 1) compressed; 2) encoded; and 3) encrypted is an inherent property to DOE-2 (a DOE-2 model is a compressed version of the building representation).

h. **Regarding claims 110**, the combination of Subbarao and Ananian discloses all the limitations of the base claims as outlined above. Subbarao further discloses wherein: the representation of the building includes at least one of: 1) a building type; 2) a space; 3) a three dimensional representation of the building; 4) a location of the building; 5) at least one surface; and 6) an opening (C14 L13-16).

i. **Regarding claims 111**, the combination of Subbarao and Ananian discloses all the limitations of the base claims as outlined above. Subbarao further discloses wherein: the results of the energy analysis includes at least one of: 1) energy cost over a period of time; 2) peak demand over a period of time; 3) fuel use over a period of time; 4) electricity use over a period of time; 5) airflow

requirements over a period of time; 6) comfort level over a period of time; 7) temperatures over a period of time; 8) cooling equipment sizes; 9) whether or not a building complies with applicable energy codes; 10) what needs to be done in order to bring a building into conformance with applicable energy codes; 11) heating equipment sizes; and 12) any information in the representation and/or any default values provided for the first representation (C18 L5-60).

j. **Regarding claims 112**, the combination of Subbarao and Ananian discloses all the limitations of the base claims as outlined above. Subbarao further discloses wherein:

the results of the energy analysis apply to at least one of: 1) the building; 2) one or more spaces within the building; and 3) any information in the representation and/or any default values provided for the first representation (C13 L22-25).

k. **Regarding claims 113**, the combination of Subbarao and Ananian discloses all the limitations of the base claims as outlined above. Subbarao further discloses
utilizing the results of the energy analysis to optimize the first representation of the building (C11 L13-27).

l. **Regarding claims 114**, the combination of Subbarao and Ananian discloses all the limitations of the base claims as outlined above. Ananian further

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discloses wherein:

the computer network includes at least one of the following: 1) the Internet; 2) public networks; and 3) private networks (C16 L22-33).

m. **Regarding claims 115**, the combination of Subbarao and Ananian discloses all the limitations of the base claims as outlined above. Ananian further discloses wherein:

the content includes at least one of: 1) a uniform resource locator (URL); 2) a hypertext markup language (HTML) document; 3) an extensible markup language (XML) document; 4) an audio/visual presentation; 5) text; and 6) an image (C16 L22-33).

11. Claims 121-122 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shanahan et al. U.S. Publication No. 2005/0022114 (hereinafter Shanahan) in view of Subbarao U.S. Patent No. 6,134,511 (hereinafter Subbarao).

a. **Regarding claims 121**, Shanahan discloses all the limitations of the base claims.

But Shanahan fails to clearly specify that the energy analysis of the building representation has been optimized.

However, Subbarao discloses that the energy analysis of the building representation has been optimized (C11 L13-27).

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Shanahan and Subbarao are analogous art because they are from the same field of endeavor. They both relate to .

Therefore at time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the above invention disclosed by Shanahan and combining it with the invention disclosed by Subbarao.

One of ordinary skill in the art would have been motivated to do this modification in order to provide more-accurate optimal control as suggested by Subbarao (see for example, C 11 L25-27).

b. **Regarding claim 122**, the combination of Shanahan and Subbarao discloses all the limitations of the base claims as outlined above.

Subbarao further discloses wherein: the criteria includes at least one of: building area, building type, building location, building space types, cooling and/or heating loads, total building glazing area, heat load on glazing, glazing area by space, amount of glazing by elevation, minimum SHGC (Solar Heat Gain Coefficient) requirement, minimum U-value requirement, glazing dimensions, building heating and/or cooling loads, building and/or space CFM (Cubic Feet per Minute) requirements, total building cooling and heating loads, heating and cooling load by space, building and space latent and sensible cooling loads, design day conditions, building operation schedule, building type, space types, potential for daylighting and/or occupancy lighting controls, and anything in the

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building representation and/or energy analysis of the building representation (C1 L50-67, C4 L1-13, C12 L45-63).

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Ortiz-Rodriguez whose telephone number is 571-272-3766.

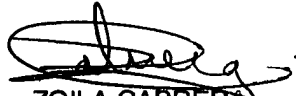
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Rodriguez can be reached on 571-272-3753. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Carlos Ortiz-Rodriguez
Patent Examiner
Art Unit 2123

February 19, 2008


ZOILA CABRERA
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100

2/19/08